

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Docket #:

MARILYN MENDEZ VASQUEZ,

Plaintiff,

**Petition for Removal**

-against-

RITZ-TRANS CORPORATION OF PENNSYLVANIA INC.,  
STEVEN C. HAGAN, “XYZ CORPORATION NO. 1, said  
name being fictitious and presently unknown but intended to  
be the owner of the Defendants’ vehicle, and “XYZ  
CORPORATION NO. 2, said name being fictitious and  
presently unknown but intended to be employer of defendant  
STEVEN C. HAGAN,

Defendants.

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**TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

1. On August 4, 2022, a Summons and Complaint was filed in the Supreme Court of the State of New York, County of Bronx. The index number previously procured by plaintiff is 811427/2022E. No further proceedings have been had herein.
2. The above-described action is a civil action for which the Court has jurisdiction under 28 U.S.C. §1332(a)(1) and is one which may be removed to this Court by the Petitioner/Defendants herein pursuant to the provision of 28 U.S.C.A §1441(a).
3. Plaintiff alleges in his complaint that she resides in Bronx, New York. A copy of the Summons and Complaint is annexed hereto as Exhibit “A.” The Court's jurisdiction is based upon diversity of citizenship as provided in 28 U.S.C. §1332(a)(i) in that the Plaintiff and all Defendants are citizens of different states. Plaintiff Marilyn Mendez Vasquez resides at 321 East 153 Street, Apt. 6J, Bronx, New York; Defendant Ritz-Trans Corporation of Pennsylvania Inc. has

its principal place of business at 11 Industrial Park Road, Mifflinburg, Pennsylvania; and, Defendant Steven C. Hagan has his residence at 1190 Paxton Street, Middleburg, Pennsylvania.

4. Moreover, upon information and belief, the amount in controversy exceeds \$75,000.00. I understand the claim includes damages allegations that plaintiff was injured when she was 45 years old and that she sustained injury to the cervical spine which required a cervical fusion surgery.

5. Petitioner/Defendants will pay all costs and disbursements incurred by reason of the removal proceedings hereby brought should it be determined that this action is not removable or is improperly removed.

6. Venue in the Southern District of New York is proper pursuant to 28 U.S.C. Section 112 and 28 U.S.C. Section 1391(a).

WHEREFORE, Petitioner prays that the above action now pending against it in the Supreme Court of the State of New York, County of Bronx be removed therefrom to the United States District Court for the Southern District of New York in accordance with 28 U.S.C.A §1441(a) and 1446.

Dated: Farmingdale, New York  
September 16, 2022

CARMAN, CALLAHAN & INGHAM, LLP



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